

**THE COMMONWEALTH OF MASSACHUSETTS
HUMAN RESOURCES DIVISION**

Hiring Guidelines
Shared Services Model

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**Human Resources Division
Hiring Guidelines
Shared Services Model
Table of Contents**

1.00	INTRODUCTION: HIRING PROCESS FOR EXECUTIVE BRANCH AGENCIES	3
2.00	CLASSIFICATION	3
3.00	POSITION MANAGEMENT	5
4.00	POSTING, WAIVERS, AND RECRUITMENT	5
5.00	SELECTION: MANAGEMENT AND NON-MANAGEMENT	7
6.00	SALARIES: MANAGEMENT AND NON-MANAGEMENT	8
7.00	APPOINTMENT PROCESS: NON-MANAGEMENT AND MANAGEMENT	10
8.00	ACTING APPOINTMENTS	13
9.00	POST-HIRE AUDIT GUIDELINES	14
	Appendix A: Series of Management Titles	15
	Appendix B: Non-Management and Management M1 – M4 Waiver Requests Criteria for Approval	16
	Appendix C: Calculating Comparable Experience for Salary Determination	18
	Appendix D: Developing Valid Qualification Requirements and Screening Procedures	19

1.00 INTRODUCTION: HIRING PROCESS FOR EXECUTIVE BRANCH AGENCIES

These guidelines are used by Executive Branch Agencies when filling positions, whether by hiring an external candidate or through an internal promotion process. The guidelines ensure fair and consistent hiring practices within the Commonwealth. The Chief Human Resources Officer may periodically change them in response to recruitment and retention demands.

The Hiring Process Guidelines provide comprehensive steps for each element of the hiring process, an overview of the post-hire audit process, and all relevant forms for use during the hiring process.

The Human Resources Division (HRD) account analyst for your agency is available for consultation on all aspects of the hiring process, including those situations in which a candidate cannot be hired within the process outlined in these guidelines.

2.00 CLASSIFICATION

2.01 Classification: Non-Management

The Shared Services Model establishes agency approval for all non-management positions classified under the provisions of [Chapter 30, Section 45](#). Non-management position classification is the selection of the classification (job title) that has the duties, level of responsibility, and qualification requirements most similar to those of the non-management position to be classified.

Requirements and Procedures

- The agency must ensure that a position is properly classified prior to posting it on [Commonwealth Employment Opportunities \(CEO\)](#) or request a waiver of the posting requirement. The agency classifies the position by identifying classifications for comparison to the position description and selecting the best title for the position. As new titles from the Essential Functions Study (EFS) are implemented, [job specifications](#) for those titles are added to HRD's website for your use in conducting this process. Please see [Classification Plan Maintenance](#) (non-EFS) or [how to classify a non-management position](#) (EFS) for details on maintaining the proper classification for non-management positions.
- The agency must complete a non-management position description form for the position prior to posting the vacancy on [CEO](#) or request a waiver of the posting requirement. For instructions on how to create a position description please see:
 - [Position description form](#)
 - [Guidelines for completing position descriptions](#)
 - The incumbent must sign the position description at the time of [appointment](#).
- The agency may not post a position or request a posting waiver for a position that is marked with a classification flag in HR/CMS. If a position is marked with a classification flag, the agency reviews the classification of the position by creating and evaluating a new position description. Contact your HRD account analyst to reclassify the position to an appropriate title and remove the classification flag.
- The agency must ensure that the position is included on the [organizational chart](#) and that the supervision exercised and reporting staff is accurately reflected, as described in the position description. A current, official organizational chart must be submitted to HRD by January 1st of each year.

Audit Requirements

- A current, signed position description must be kept on file for each employee.
- A current, official organizational chart must be kept on file at the agency's central human resources office.

2.02 Classification: Management

The Shared Services Model establishes agency approval for all management position evaluations and classifications except agency heads and their direct reports. Management classification and job evaluation is the system used to determine the proper job group of management positions classified under [Chapter 30, Section 45](#). The Commonwealth of Massachusetts uses the [Hay Guide Chart Profile Method](#) to evaluate management positions.

Requirements and Procedures

- The agency must ensure that a position is properly classified prior to posting it on [Commonwealth Employment Opportunities \(CEO\)](#) or request a waiver via the Notice of Intent to Hire (NIH). Please see [Classification Plan Maintenance](#) for details on maintaining the proper classification for management positions.
- The agency must prepare and evaluate a [Management Questionnaire \(MQ\)](#) for each management position whenever the classification changes (upgrades, downgrades, and new functions).
 - The agency evaluates and classifies a management position by reviewing the duties and responsibilities of the job, assigning points based on unique factors, and determining classification using the points (score). Please see the [Position Evaluation Training Manual: Hay Guide Chart – Profile Method](#) for detailed procedures on the evaluation and classification of management positions.
 - The agency selects the appropriate management classification from one of [four series of management titles](#).
 - The agency must submit written notification to HRD on the [notification of evaluation form](#) of any changes to management classifications (upgrades and downgrades) and any new management classifications. The secretariat should also be notified of any changes to management classifications.
 - The incumbent must sign the MQ at the time of [appointment](#).
 - If the position is for the agency head, a manager who reports directly to the agency head, or a manager in a [benchmark title](#), the MQ must first be approved by the secretariat then submitted to HRD for review and evaluation before the agency posts the vacancy on CEO or requests a waiver of the posting requirement.
- The agency may not post a position or request a waiver for a position that is marked with a classification flag in HR/CMS. If a position is marked with a classification flag in HR/CMS, the agency reviews the classification of the position by creating and evaluating a new MQ. Contact your HRD account analyst to reclassify the position to an appropriate title and remove the classification flag.
- The agency must ensure that the position is included on the [organizational chart](#) and that the supervision exercised and reporting staff is accurately reflected, as described in the Management Questionnaire. A current, official organizational chart must be submitted to HRD by January 1st of each year.

Audit Requirements

- A current, evaluated MQ and evaluation documentation must be kept on file for each management position.
- A current, official organization chart must be kept on file with each evaluated MQ.

3.00 POSITION MANAGEMENT

Position management is the establishment, reallocation, or transfer of positions for hiring and workforce administration purposes.

Requirements and Procedures

- The agency and secretariat must ensure that the position is properly classified.
- The agency and secretariat must ensure that an account is correctly set up and funded before positions are created or transferred to the account.
- The agency and secretariat must ensure that an accurate functional title has been assigned to the position.
- The agency and secretariat must request via [E-Form](#) the establishment, reallocation, and other position data changes in HR/CMS. HRD processes all E-form requests.
- The agency or secretariat must request new location codes as required.
- The agency and/or secretariat reviews its vacant positions via the [Document Direct](#) vacant position report (report HMPOS003) to determine if an existing position can be used or reallocated before requesting the creation of a new position.
- The agency and/or secretariat determines the position type before it is created in HR/CMS. A position must have an [official state position type](#) designation.
- The agency and/or secretariat must use position type PR for all [960 hour appointments](#).
- The agency and/or secretariat must enter reports-to information for all employees in HR/CMS.

4.00 POSTING, WAIVERS, AND RECRUITMENT

The Commonwealth of Massachusetts is an employer committed to developing a highly qualified and diverse workforce. Under the shared services model, the secretariat has increased flexibility in the posting, waiver (of the posting process) and recruitment processes.

4.01 Posting Requirements and Procedures

- All management and non-management positions must be posted on the [Commonwealth Employment Opportunities \(CEO\)](#) Internet site for a minimum of 14 calendar days.
- Promotional opportunities must be posted internally in accordance with [collective bargaining agreements](#) and agency policy.
- The agency must comply with its diversity plan.
- The agency enters a posting on CEO. The secretariat then approves the posting. Postings for all non-management positions and management positions M1 through M4 may be launched to the Internet by the secretariat. Please see [CEO job aides](#) for further information. Postings for management positions M5 through M12 are reviewed and launched to the Internet by HRD.
- If an agency is not receiving a satisfactory response from the CEO posting, the agency may:
 - Extend the current posting's closing deadline on the CEO within the 14-day posting period; or

- Repost the position following the 14-day posting deadline by creating a copy of the inactive CEO posting; or
- Advertise the position in external locations.
- Please refer to the appropriate [CEO job aids](#) for posting positions, extending deadlines, and reposting positions on CEO.

4.02 Waiver Requirements and Procedures

- All management positions should be posted in order to encourage an open, fair and transparent hiring process. The agency and/or secretariat may, on an exception basis, request a waiver from the posting process, based on a documented business need (i.e. internal promotion, specialized skills, etc).
- The agency and/or secretariat must secure approval via the waiver process for any position NOT posted on the CEO.
 - The agency can seek a waiver of the non-management and management positions M1 through M4 posting process through its secretariat. HRD has a [non-management and management M1 - M4 waiver request form](#) that agencies/secretariats may wish to use as a model. Please see [Appendix B: Non-Management and Management M1 – M4 Waiver Requests - Criteria for Approval](#) for details on requesting and/or processing non-management and management M1 through M4 waivers.
 - The agency must enter a waiver into the NIH system for all M5 through M12 hires, promotions, transfers, and demotions into positions that were not posted on the CEO. Justification for why the agency is requesting a waiver of the posting process must be included in the NIH.

4.03 Recruitment

- The agency should use the state's benefits package as a recruitment tool for prospective employees:
 - [Group Insurance Commission](#)
 - [Rules Governing Paid Leave and Other Benefits for Managers and Confidential Employees \(Red Book\)](#)
 - [EILB \(Extended Illness Leave Bank\)](#)
 - [Tuition Remission](#)
 - [Family Leave \(FMLA\)](#)
 - [State Employees Serving as Volunteers Program](#)
 - [Collective Bargaining Agreements](#)
- The agency should consult Section 3, Recruitment Plan of the [Model Hiring Plan](#) for suggestions on how an agency can enhance its recruitment efforts.

4.04 Audit Requirements for Posting, Waivers, and Recruitment

Current management questionnaires, position descriptions and all related documentation regarding the posting, recruitment or waiver processes are required for audit purposes.

5.00 SELECTION: MANAGEMENT AND NON-MANAGEMENT

The goal of the selection process is to find the person who is best able to perform the essential functions of the position while achieving a workforce that reflects the diversity of the Commonwealth's population. Any criterion or process that is used to screen and select candidates, from qualification requirements through the interview, must be job-related and applied consistently to all candidates.

5.01 Requirements and Procedures

- The following requirements, which are available on the [Civil Service](#) homepage, apply to non-management hires and have precedence in the order shown below:
 - (1) Civil Service Reinstatement List (administered by the agency)
 - (2) Civil Service Re-employment List
 - (3) Department Promotional Civil Service List
 - (4) Open Competitive Civil Service List
 - (5) [Collective Bargaining](#) Recall List
 - (6) Internal and external posting
- Please refer to the appropriate contract for posting and promotional requirements for non-management positions covered by [collective bargaining](#).
- The [Model Hiring Plan](#) provides detailed guidelines on:
 - developing and applying [screening criteria](#),
 - developing a [recruitment plan](#),
 - preparing a [job posting](#),
 - conducting and scoring [structured interviews](#),
 - [candidate selection](#) and [reference checks](#),
 - [sample forms](#).
- Agencies may reference [Appendix D: Developing Valid Qualification Requirements and Screening Procedures](#) for key laws, guidelines, and terminology that apply to screening and selecting candidates.
- All candidates selected for interview must complete the [Commonwealth Employment Application](#). This form includes disclosure of family relationships with other state employees as required by [Executive Order 444](#) (Sunshine Policy).
- The agency develops [screening criteria](#) that directly relate to the essential functions of the position.
 - 1) The agency develops screening criteria for the vacancy announcement, including the minimum entrance requirements defined on the HRD class specification and any special requirements for the individual position. This announcement is used in the [recruitment process](#).
 - The agency uses these screening criteria on a pass-fail basis to determine whether the candidate is eligible for consideration.
 - 2) The agency develops additional screening criteria based on the competencies most critical in performing the essential functions of the position.
 - The agency determines how these will be used to narrow down the number of candidates to be interviewed.

- The agency determines interview questions and the scoring process that will be used to rank qualified candidates.
 - The agency selects the interviewer(s) and determines which questions will be asked.
- The agency conducts the screening. It is important to provide reasonable accommodation to candidates during the screening process. Based on the type of position to be filled and the number of candidates, the process normally consists of the following steps:
 - (1) The agency conducts an initial screening to determine whether candidates meet the qualification requirements set forth in the vacancy announcement.
 - (2) The agency then identifies the candidates to be interviewed. When contacting those selected for interview, the agency includes a request to complete the [Commonwealth Employment Application](#) prior to the interview. The agency may, however, elect to have only the final group of candidates selected in the first interview complete this form.
 - (3) The agency conducts the first interview and may conduct subsequent interviews as deemed necessary. The interview process may begin during the posting period.
- The agency checks references.
- The agency makes a conditional offer of employment to the candidate selected.

5.02 Audit Requirements

Documentation of the criteria used in the selection process, scoring, demographic information if collected, and candidates' applications should be retained in the agency.

6.00 SALARIES: MANAGEMENT AND NON-MANAGEMENT

6.01 Salaries: Non-Management

Under the Shared services Model, secretariats have more flexibility for approvals of non-management salaries for their constituent agencies. This gives agencies the ability to offer salaries more comparable to current market rates and to compensate individuals for relevant work experience.

Requirements and Procedures

- The agency must ensure that the candidate meets the minimum entrance requirements (MER's) as outlined in the [selection](#) guidelines.
- The agency must ensure that recruitment above the minimum salary rate is based on comparable work experience as explained in [Appendix C: Calculating Comparable Experience for Salary Determinations](#).
- The agency obtains prior written approval of HRD to recruit a candidate into a non-management position at a rate above 15% of the candidate's most recent salary using the [request for salary approval form \(E-Form\)](#).
- The agency must adhere to salary rules within the applicable [collective bargaining agreement](#).
- The agency must refer to the [Technical Pay Law \(TPL\) guidelines](#) and get approval from the appointed TPL [agency qualified reviewer](#) when determining a salary for an information technology professional.
- The agency must adhere to the [Salary Administration Rules \(Gray Book\)](#) for all salaries for confidential and unclassified positions.
 - Salaries for confidential jobs must be consistent with salary charts contained within the collective bargaining agreement.
 - Salaries for unclassified jobs must be in compliance with statute.
- The agency ensures that the approved salary for a potential new hire does not cause a [salary collision](#) as outlined in the Gray Book by exceeding the salary of the supervising manager.

- The agency must adhere to the following policies issued by HRD in regard to all salaries for student interns:
 - [Student intern pay rate schedule](#), issued June 8, 2007.
 - [TPL student intern pay rate schedule](#).
- The agency obtains prior written approval of the agency head and secretariat to recruit a candidate into a non-management position at a salary within the applicable range, which is within 15% of the candidate's current/most recent salary provided that the candidate meets the MERs and has the comparable experience.
- The agency's formal offer is extended to the candidate **after** final approval is obtained.

Audit Requirements

- Documentation of the candidate's most recent salary before the hire.
- Copy of the candidate's resume and all salary justification and documentation.
- HRD approval of salaries that exceed the candidate's current/most recent salary by greater than 15%.
- Signed statement that the candidate was not employed by the Commonwealth in the twelve months immediately preceding the date of the recruitment, if applicable.

6.02 Salaries: Management

Under the Shared Services Model, secretariats have more flexibility for salaries of management in their constituent agencies, except for agency heads and their direct reports. This gives agencies the ability to offer salaries more comparable to current market rates and to compensate individuals for relevant work experience.

Requirements and Procedures

- The agency must adhere to the [Salary Administration Rules \(Gray Book\)](#) when determining [management salaries](#).
- HRD provides guidance and salary information as it relates to a particular functional title within comparable agencies.
- The agency must ensure that the candidate meets the minimum entrance requirements (MER's) as outlined in the [selection](#) guidelines and that management recruitments are based on comparable work experience as explained in [Appendix C: Calculating Comparable Experience for Salary Determinations](#).
- The agency must ensure that management recruitments do not adversely impact compensation equity within the agency and does not exceed the salary of the supervising manager.
- The agency head must approve all salaries.
- The agency obtains prior written approval of the secretariat to recruit a candidate into a management position at a salary within the applicable range, which is within 15% of the candidate's current/most recent salary provided that the candidate meets the MER and has the comparable experience.
- The agency must submit a Salary Request E-Form to HRD if the requested salary is beyond 15% above the current/most recent salary; if the candidate does not have the comparable experience; and for agency heads and their direct reports.
- The agency's formal offer is extended to the candidate **after** final approval of the NIH.

Audit Requirements

- Documentation of the candidate's most recent salary before the hire.
- Copy of the candidate's resume and all salary justification and documentation.
- HRD approval of any salary for an agency head and his or her direct report.

- HRD approval of salaries that exceed the candidate's current/most recent salary by greater than 15% or those candidate's that lack the comparable experience.

7.00 APPOINTMENT PROCESS: NON-MANAGEMENT AND MANAGEMENT

Please reference the following charts in regards to transferring employees:

Transfer of Benefits:

Transfer from:	Managers/confidentials (see Red Book)	Collective Bargaining
Federal Government	No credit	No credit
Other States	No credit	No credit
Mass. Cities, Towns and Counties	Vacation status only	Vacation status only
Mass. State and Local Authorities	Vacation status only	Vacation status only
Legislative Branch, Governor's and Lt. Governor's Offices	Vacation status, vacation credits and sick leave credits	Vacation status and sick leave credits only
Judicial Branch	Vacation status, vacation credits and sick leave credits	Vacation status only
Constitutional and Independent Offices (including Counties that have officially become state agencies)	Vacation status, vacation credits and sick leave credits	Vacation status only
District Attorneys' Offices	Vacation status, vacation credits and sick leave credits	Vacation status only
Higher Education	Vacation status, vacation credits and sick leave credits	Vacation status only
Other classified positions, and certain managerial unclassified positions (e.g. Cabinet Secretaries, Undersecretaries, etc.)	Vacation status, vacation credits and sick leave credits	Vacation status, vacation credits and sick leave credits

[Transfer vs. Term/Rehire Chart:](#)

GOING TO						
FROM		Executive Department	Executive Branch – Other*	Judicial Branch	Higher Education	Legislative Branch
	Executive Dept.	Transfer	Term/Rehire	Term/Rehire	Term/Rehire	Term/Rehire
	Higher Education	Term/Rehire	Term/Rehire	Term/Rehire	Term/Rehire	Term/Rehire
	Executive Branch – other *	Term/Rehire	Term/Rehire	Term/Rehire	Term/Rehire	Term/Rehire
	Judicial Branch	Term/Rehire	Term/Rehire	Transfer	Term/Rehire	Term/Rehire
	Legislative Branch	Term/Rehire	Term/Rehire	Term/Rehire	Term/Rehire	Term/Rehire

* Constitutionals, Independents, Sheriffs Offices, and District Attorneys

7.01 Appointment Process: Non-Management

Under the Shared Services Model, all non-management positions that are posted on the [Commonwealth Employment Opportunities \(CEO\)](#) website for 14 calendar days can be filled by agencies once the posting period closes. Please see the [Posting, Waivers, and Recruitment](#) section for waivers of the posting requirement.

Requirements and Procedures

- For candidates who are transferring from another executive branch agency, the agency or secretariat making the appointment must submit an [interagency transfer of personnel request \(E-Form\)](#) to HRD for processing. Please reference the above charts regarding transfer of benefits and transfer vs. rehire in HR/CMS.
- The performance of new hires must be evaluated prior to the end of the probationary period as governed by the applicable [collective bargaining agreement](#). This will enable the agency to terminate an unsatisfactory employee before the probationary period ends.
- Once all approvals are in place, the agency appoints the employee in HR/CMS. For assistance please see the [HR/CMS Knowledge Center](#).
- For Technical Pay Law (TPL) positions, the applicable TPL functional title is entered into HR/CMS. Please see [Implementation of Revised Technical Pay Law \(TPL\) Functional Titles](#) memorandum for more information.
- The agency evaluates the new hire's performance prior to the end of the probationary period, as outlined in the [EPRS Supervisor Guide](#).

Audit Requirements

- Employee Functional Titles must be in HR/CMS.
- The agency must have on file a signed copy of the employees Position Description (Form 30).
- The agency must retain hard copy or electronic documentation of all salary requests and related information.
- Copy of EPRS evaluation completed during the probationary period.

7.02 Appointment Process: Management

The Shared Services Model establishes secretariat approval for management appointments for managers M1 through M4 within their constituent agencies. HRD must process the appointment of all managers M5 through M12.

Requirements and Procedures

- The agency Diversity Officer, agency head, secretariat Human Resources Director, secretariat Director of Diversity, and the cabinet level secretary/designee sign off and approve management hires in levels M1 through M4.
- The agency Diversity Officer, agency head, secretariat Human Resources Director, secretariat Director of Diversity, and the cabinet level secretary/designee sign off on management hires in levels M5 through M12; however, HRD processes the appointment of managers M5 through M12.
- Employment checks are required for all M5 through M8. Please indicate the preference in the comments field in the [Notice of Intent to Hire \(NIH\)](#). Employment checks must be done pre-hire for M9 through M12. For additional information, please refer to the [Employment Check Guidelines](#).
- A new employee who is going to have a post-hire employment check must complete an [Employee First Day Declaration Form](#) and [Employee Acknowledgement Form](#).
- Once salary requirements are resolved, the agency enters the prospective hire in [NIH](#) for secretariat approval. All NIHs are required to include the position functional title.
- The secretariat approves all NIH entries for management levels M1 through M4 according to the [NIH Guidelines](#). HRD processes the appointment of managers M5 through M12 in NIH and, once approved, notifies the agency and secretariat.
- For Employment Checks (management appointments in levels M5 and above), the secretariat and/or HRD will be notified that the prospective employee has cleared the Employment Check and can be hired by the agency. Employment checks may be done either pre-hire or post-hire for M5 through M8.
- Prior to appointing a candidate to a management position, the agency confirms that a functional title is assigned to the position in HRCMS. To request that a functional title be assigned to a management position, the agency submits an [E-form](#) to HRD to have the title added to HRCMS position data. Wherever possible, the agency chooses a functional title from the [benchmark management job title listing](#).
- For candidates who are transferring from another executive branch agency, the agency or secretariat making the appointment must submit an [interagency transfer of personnel request \(E-Form\)](#) to HRD for processing. Please reference the above charts regarding transfer of benefits and transfer vs. rehire in HR/CMS.
- Once all approvals are in place, the agency appoints the employee in HR/CMS. For assistance please see the [HR/CMS Knowledge Center](#).

Audit Requirements

- Employee Functional Titles must be in HR/CMS.
- The agency must have on file a signed copy of the MQ.
- The agency must retain hard copy or electronic documentation of all salary requests and related information.

8.00 ACTING APPOINTMENTS

HRD may grant agency requests to compensate employees as “Acting” pending agency selection and/or appointment of a full-time incumbent. Agencies must receive prior approval from HRD before any acting appointments. Additional pay should not be used to pay acting appointments.

8.01 Acting Appointments: Non-management

Requirements and Procedures

- The agency must identify an Excess Quota (EQ) or Sick Leave (SL) position for use in the acting appointment.
- The agency must ensure the candidate meets the MERs.
- The agency must submit an Acting Pay Request form to their HRD Analyst for approval to appoint a non-manager into an acting pay position. The promotional increment **must** be followed as outlined in the appropriate [Collective Bargaining Agreement](#). Upon approval of the acting pay request, the HRD Analyst will lift flags on the acting position and the agency can proceed with appointing the candidate.
- Acting appointments are not to exceed a six-month period.
- HRD will audit the use of EQ and SL positions to ensure compliance with the Acting appointment policies.

Audit Requirements

The agency must retain the Acting Pay Request and approval documentation.

8.02 Acting Appointments: Management

Requirements and Procedures

- The agency must identify an Excess Quota (EQ) or Sick Leave (SL) position for use in the acting appointment.
- The agency must ensure the candidate meets the MERs.
- For levels M1 through M4 the agency must submit an Acting Pay Request form to their HRD Analyst for approval to appoint a manager into an acting pay position. A current resume must be submitted along with the Acting Pay Request form. The agency must follow the promotional guidelines set forth in [Management Compensation Reform](#) (MCR). Upon approval of the acting pay request, the HRD Analyst will lift flags on the acting position and the agency can proceed with appointing the candidate.
- For levels M5-M12 acting appointments must be entered into the NIH system and a current resume must be submitted to their HRD Analyst. The promotional guideline of 5% per M-level, as outlined in MCR, should be followed. If the percent increase is above 15%, regardless of the promotional guidelines, a salary request eform must be submitted to HRD prior to entering the NIH. Once the NIH is approved, the HRD Analyst will lift flags and notify the agencies.
- Acting appointments are not to exceed a six-month period.
- HRD will audit the use of EQ and SL positions to ensure compliance with the Acting appointment policies.
- Non-managers acting in management positions may elect to continue to have their union dues deducted and remain in a union sponsored Health and Welfare dental/vision insurance plan without a break or change in coverage. Agencies must notify the union that the employee has elected to continue coverage to ensure that dental/ vision coverage is not discontinued. Union dues deductions must be terminated if the acting manager elects GIC dental/vision coverage.

Audit Requirements

- The agency must retain the Acting Pay Request and approval documentation.

9.00 POST-HIRE AUDIT GUIDELINES

The delegation of the hiring process provides agencies and secretariats more decision-making authority and freedom to act. With this delegation, agencies and secretariats are expected to make appropriate decisions during the hiring process. HRD is available at all times to provide consultation, guidance, and training on the hiring process guidelines. In addition, HRD will conduct regular audits of all hiring process steps to ensure fair and consistent hiring practices throughout the Commonwealth.

- The agency must maintain copies of all required documents for each step within the hiring process. The documents required for audit purposes may be found under the Audit Requirements sections of the individual hiring process guidelines.
- HRD conducts regular audits of all hiring process steps. Audit results that prove to be inconsistent with the hiring process guidelines will initiate a request from HRD for complete documentation from the agency regarding specific hires. These requests will be made via on-site visits, phone calls, email and/or facsimile.
- HRD will also conduct regular audits of additional pay usage.
- Upon notification of an online audit, the agency must provide copies of all required documents to HRD within three business days of the request.
- Upon notification of an on-site audit, the agency must be prepared to provide copies of all required hiring process documents for every employee hired under the Shared Services Model Hiring Guidelines.
- Concerned parties will be notified when HRD determines that the agency did not follow the hiring process guidelines. HRD will work with the agency to rectify the situation, provide training if necessary and prevent future problems.
- At any time, the agency or secretariat may request HRD's assistance in correcting any hiring process steps that do not follow the hiring process guidelines.
- The Chief Human Resources Officer reserves the right to take corrective action on any hiring process step that does not comply with the hiring process guidelines. Additionally, the Chief Human Resources Officer may revoke delegation at any time.
- The agency should rate managers involved in the hiring process based on their compliance with the hiring process guidelines. Their role in the hiring process must be included as a performance objective in their ACES. Individual ACES ratings on the hiring process performance criteria should reflect any audit findings throughout the fiscal year.

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Hiring Guidelines
Shared Services Model**

Appendix A: Series of Management Titles

Administrator	This series is for general administrative work requiring the exercise of independent judgment in a variety of functions, the primary purpose of which is to serve the administrator's own agency or other agencies. No specific professional degree or license is required.
Fiscal Officer	This series is for those positions in which the majority of work is in the fiscal field. No specific professional degree or license is required.
Program Manager	This series is for the head, assistant or member of a department, division, bureau, section or unit of which the primary purpose is to manage a major segment of which is to serve the public. No specific professional degree or license is required.
Program Manager Specialist	This series is for professionals such as attorneys, physicians, and engineers, for which a specific professional degree or license is required to perform the functions of the position and for which no other degree can be substituted.

**Human Resources Division
Hiring Guidelines
Shared Services Model**

Appendix B: Non-Management and Management M1 – M4 Waiver Requests Criteria for Approval

Agencies should ensure the following criteria are met prior to submitting a non-management and M1 – M4 waiver request to its secretariat for approval:

- Position is properly classified. An approved management questionnaire is on file at the agency for the management M1– M4 position.
- Agency has satisfied [civil service requirements](#) before offering position to the candidate.
- After ensuring that civil service requirements have been satisfied, agency needs to ensure that [statewide recall roster list](#) is used (if applicable) before offering position to candidate.
- Agency obtains necessary approvals for [salaries](#).

Secretariats should use the criteria listed below as a guide for approving or denying non-management and management M1 – M4 waiver requests.

- Vacancies (new hires, promotions, transfers) being filled without posting on the CEO system

Criteria for approval:

- Candidate must meet the minimum entrance requirements of the position
- Candidate must be hired in accordance with all collective bargaining and civil service requirements, when applicable.
- Request must have sound justification for waiver, e.g., change of duties due to agency reorganization, candidate was previously considered for another CEO posted vacancy within the agency, or candidate is going from “acting” to permanent appointment.

- Seasonal hires

Seasonal employment runs from May - September. or November - March

Criteria for approval:

- Seasonal employees cannot be working during the months of April or October unless specific language is contained in the agency’s budget.
- If language has not been added to the budget and an agency wants to hire a seasonal employee during the months of April or October, then an emergency appointment would need to be requested through HRD’s Chief Human Resources Officer.
- Candidate must meet the minimum entrance requirements of the position

- Intermittents

Intermittents are employees who work less than half time with no benefits.

Criteria for approval:

- Candidate must meet the minimum entrance requirements of the position

- Rehires

An employee returning to employment within the same agency

Criteria for approval:

- Candidate must be hired into the same, equivalent, or lower title from when he/she left the agency

Candidate must meet the minimum entrance requirements of the position.

- Hiring additional candidates to posted vacancies
Agency posts a vacancy on CEO and requests to make additional hire(s) from the same applicant pool.

Criteria for approval:

- Candidate must be from the original applicant pool
- Candidate must meet minimum entrance requirements of the position
- Agency must document why additional positions were not posted
- Location of the additional position(s) must be the same as the location of the position posted.

Hiring candidates to positions not filled within 6 months of the CEO posting deadline

- Hiring candidates to positions not filled within 6 months of the CEO posting deadline

Criteria for approval:

- Candidate must be from the original applicant pool
 - Candidate must meet minimum entrance requirements of the position
 - Posting cannot be older than one year from the application deadline (otherwise job must be reposted)
 - Agency must provide reason for delay in hiring
- Converting contract employee to full-time position
Employee has been working in contracted capacity for the agency and the agency would like to hire the contract employee into a full-time regular position.

Criteria for approval:

- Prior to requesting the waiver, agency needs to obtain approval of the conversion from HRD's Office of Employee Relations to ensure that the hire is in compliance with the applicable collective bargaining contract.
 - Candidate must meet minimum entrance requirements of the position
- Position posted on CEO, but candidate hired left position and agency wants to hire another candidate from the applicant pool

Criteria for approval:

- Candidate must be from the original applicant pool
- Candidate must meet minimum entrance requirements of the position

**Human Resources Division
Hiring Guidelines
Shared Services Model**

Appendix C: Calculating Comparable Experience for Salary Determination

Minimum Entrance Requirements (MERs)

The Minimum Entrance Requirements on classification specifications describe the minimum kind, amount, and level of experience, education, training, licensure, and other eligibility requirements needed at hire for each job title. The specification describes substitutions for required experience, if any. Older specifications describe licensure requirements in the “Special Requirements” section rather than the “Minimum Entrance Requirements” section. Both sets of requirements must be met. The candidate who just meets all of these requirements is eligible for placement in step 1 of the salary range (for non-managers) or a particular salary quartile (for managers). Note that if a license is required, the MERs do not include the education or experience prerequisites for the license, since that eligibility determination is made by the licensing body.

Comparable Years of Service for Salary Determinations

Recruitment rates above step 1 of the salary range (for non-managers) or for placement within a particular salary quartile (for managers) are based on years of experience comparable to experience in the classification title. Therefore, work experience must be in addition to what was needed to be eligible for step 1 (for non-managers) or the particular salary quartile placement (for managers). The work must have been at the same or higher level as the job title to be considered comparable service. For example, many professional titles credit both paraprofessional and professional work experience toward their Minimum Entrance Requirements. Additional paraprofessional experience, however, would not be considered comparable service since it is not at the same level as the job title. Similarly, internships do not typically constitute comparable experience for recruitment rates. Each year of comparable service corresponds to one additional step beyond step 1 or, for management positions, as described in the [Salary Administration Rules \(Gray Book\)](#).

HRD Consultation

Please consult with your HRD account analyst for assistance in determining candidates’ comparable experience or to discuss problems in recruiting and retaining qualified employees.

**Human Resources Division
Hiring Guidelines
Shared Services Model**

Appendix D: Developing Valid Qualification Requirements and Screening Procedures

Goal

The goal of the selection process is to find the person who is best able to perform the Essential Functions of the position while achieving a workforce that reflects the diversity of the Commonwealth's population. Open competition for jobs and selection criteria based solely on the essential functions of the position are critical to meeting this goal. The Commonwealth promotes the diversity of its workforce through required agency [Affirmative Action Plans and Diversity Plans](#).

Legal Requirements

In addition to meeting the goals of the agency's Affirmative Action and Diversity Plans, qualification requirements and other screening procedures must adhere to anti-discrimination law. Minimum Entrance Requirements and required competencies on class specifications, preferred qualifications in job postings, and all policies, forms, procedures, practices, and criteria used in selecting candidates must be job-related and may not eliminate anyone from the applicant pool for reasons not directly related to ability to perform the job. The burden of proof is on the employer to prove that any device used for selection actually measures ability to perform on the job. Adverse Impact occurs when the hiring rate for women and minorities is less than 80% of that of the highest employment-achieving group. Overly inflated requirements create an artificial barrier for otherwise qualified candidates. Similarly, requiring experience that could only be gained by a current agency employee creates a barrier to talented external candidates.

Federal Laws

- Civil Rights Act (1866, 1871, 1964 Amended 1972, 1967 Amended 1978 and 1986, 1991): It is unconstitutional to discriminate against a person because of that person's race, religion, sex, national origin, age, or disability. The Civil Rights Act of 1991 enables an employee to recover significant monetary damages if an employer discriminates in a malicious way because of physical or mental handicap, age, race, religion, sex, or national origin.
- Rehabilitation Act of 1973: Prohibits discrimination because of physical or mental impairment that limits one or more major life activities. An employer with a Federal contract exceeding \$50,000 is mandated to develop and post an Affirmative Action Plan.
- Americans with Disabilities Act (ADA): Prohibits discrimination against "qualified persons with disabilities" during all employment practices including job application, hiring, firing, advancement, and compensation. Employers must provide reasonable accommodation to qualified people with disabilities in performing the essential functions of the job. Under ADA, job functions may be considered essential for several reasons, including but not limited to the following:
 1. The reason the job exists is to perform that function.
 2. There is a limited number of available employees among whom the performance of that function can be distributed.
 3. The function is so highly specialized that the incumbent is hired based on expertise or ability to perform the function.
- Immigration Reform and Control Act of 1986: It is illegal to hire people who are illegal immigrants. Employers MUST obtain proper documentation of all employees as employers are subject to a fine up to \$10,000 for every illegal employee.

Massachusetts Law: [Chapter 151B](#)

EEOC Guidelines: [Uniform Guidelines on Employee Selection Procedures](#)

- Uniform Guidelines on Employee Selection Procedures: It is important NOT to discriminate against any group and the Burden of Proof is on the employer to prove that non-discrimination is the case. Non-discriminatory policies, practices, procedures and techniques must be used during employee selection.
- Uniform Guidelines on Employee Selection Procedures - Adverse Impact: Women and minorities must be hired at a rate equivalent to 80% of that of the highest employment achieving group. Accurate records must be kept as it is the employer's responsibility to prove that all employment decisions were fair and in compliance with all applicable statutes and laws.

Terminology

Competency: An observable behavior that contributes to successful performance. Competencies include applied knowledge, skill, and abilities.

Minimum Entrance Requirements: The minimum kind and amount of experience, education, or training through which a candidate could acquire the knowledge, skills, abilities, and other competencies needed for acceptable performance at hire.

Basic Merit Principles:

- Recruiting, selecting and advancing of employees on the basis of their relative ability, knowledge and skills including open consideration of qualified applicants for initial appointment;
- providing equitable and adequate compensation for all employees;
- providing training and development for employees, as needed, to assure the advancement and high quality performance of such employees;
- retaining employees on the basis of adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected;
- ensuring fair treatment of all applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, age, national origin, sex, marital status, handicap, or religion and with proper regard for privacy, basic rights outlined in M.G.L. C. 31 and constitutional rights as citizens, and;
- ensuring that all employees are protected against coercion for political purposes and are protected from arbitrary and capricious actions.

